IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNI	ITED STATES OF AMERICA,	0.4000000
	Plaintiff,	8:16CR239
	vs.	DETENTION ORDER
WIL	LIAM ALEXANDER GARCIA,	
	Defendant.	
A.	Order For Detention After waiving a detention hearing pursua Act on August 26, 2016, the Court or pursuant to 18 U.S.C. § 3142(e) and (i).	ant to 18 U.S.C. § 3142(f) of the Bail Reform ders the above-named defendant detained
B.	conditions will reasonably assure X By clear and convincing evidence	tion ion because it finds: ridence that no condition or combination of the appearance of the defendant as required. that no condition or combination of conditions of any other person or the community.
C.	contained in the Pretrial Services Repor X (1) Nature and circumstances of X (a) The crime: the methamphetamine (Contains a minimum sentence of life imprisonment. (b) The offense is a crime (c) The offense involves a minimum sentence of life imprisonment.	the offense charged: possession with intent to distribute ount I) in violation of 21 U.S.C. § 846 carries of ten years imprisonment and a maximum of e of violence.
	may affect wh The defendar X The defendar X The defendar X The defendar The defendar ties. Past conduct X The defendar Tourt proceed	nt appears to have a mental condition which mether the defendant will appear. In the no steady employment. In the no substantial financial resources. It is not a long time resident of the community. In the defendant: In the defendant of the community. In the defendant of the defendant: In the defendant of the defendant: In the defendant of the defendant of the defendant: In the defendant of the

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			Release pending trial, sentence, appeal or completion of sentence.	of
		(c)	Other Factors:	
			The defendant is an illegal alien and is subject t	0
			deportation.	
			The defendant is a legal alien and will be subject t	0
			deportation if convicted.	
			The Bureau of Immigration and Custom Enforcemer (BICE) has placed a detainer with the U.S. Marshal. Other:	nt
		_		_
X	(4) T	he r eleas	ture and seriousness of the danger posed by the defendant' are as follows: The nature of the charges in the Indictment.	S
Υ	(5) D	ohu	able Presumptions	
<u>X</u>			mining that the defendant should be detained, the Court also relie	М
			ollowing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e	
			ne Court finds the defendant has not rebutted:	"
	χ		That no condition or combination of conditions will reasonable	V
		(4)	assure the appearance of the defendant as required and the safet	
			of any other person and the community because the Court finds that	
			he crime involves:	
			(1) A crime of violence; or	
			X (2) An offense for which the maximum penalty is lif	e
			imprisonment or death; or	
			X (3) A controlled substance violation which has a maximu	ım
			penalty of 10 years or more; or	
			(4) A felony after the defendant had been convicted of two	
			or more prior offenses described in (1) through (3	
			above, <u>and</u> the defendant has a prior conviction for on	
			of the crimes mentioned in (1) through (3) above which	:h
			is less than five years old and which was committe	d
X (b) That no condition or combination of conditions will assure the appearance of the defendant as required ar of the community because the Court finds that there		while the defendant was on pretrial release.	_	
			е	
			cause to believe:	اہ
			X (1) That the defendant has committed a controlle	
			substance violation which has a maximum penalty of	Эĭ
			10 years or more.	40
			(2) That the defendant has committed an offense under	
			U.S.C. § 924(c) (uses or carries a firearm during and i	
			relation to any crime of violence, including a crime of	
			violence, which provides for an enhanced punishmer	
			if committed by the use of a deadly or dangerou	15
			weapon or device).	

- D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for
 confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
 - The defendant be afforded reasonable opportunity for private consultation with counsel; and

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3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: August 26, 2016.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge